

2009 DRAFTING REQUEST

Senate Substitute Amendment (SSA-SB276)

Received: **02/08/2010**

Received By: **mshovers**

Wanted: **As time permits**

Identical to LRB:

For: **Pat Kreitlow (608) 266-7511**

By/Representing: **Jeff**

This file may be shown to any legislator: **NO**

Drafter: **mshovers**

May Contact:

Addl. Drafters:

Subject: **Local Gov't - munis generally**
Local Gov't - counties

Extra Copies:

Submit via email: **YES**

Requester's email: **Sen.Kreitlow@legis.wisconsin.gov**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Require governmental bodies of political subdivisions to post meeting agendas on their websites

Instructions:

See attached. Based on LRB -2341/1, with a0390

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
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FE Sent For:

<END>

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/? mshovers

FE Sent For:

<END>

Shovers, Marc

From: Buhrandt, Jeff
Sent: Thursday, February 04, 2010 9:24 AM
To: Shovers, Marc
Cc: McWilliams, Emily
Subject: RE: SB 276 - Web site posting of agendas

Marc-

I just talked to Emily and we think the best way to proceed is to create a new sub, one that would include the towns language that we discussed earlier and make the changes to limit scope that you outlined below.

Thanks for your patience on this Marc - I know we've been all over the map on it at times.

Jeff

From: Shovers, Marc
Sent: Wednesday, February 03, 2010 1:50 PM
To: Buhrandt, Jeff
Cc: McWilliams, Emily
Subject: RE: SB 276 - Web site posting of agendas

Hi Jeff:

Well, the bill contains posting requirements for the public notice provisions under s. 19.84, stats., and then adds an Internet posting requirement for information (meeting minutes) that is currently subject to the open records law. Generally, minutes of meetings subject to the public notice requirements are subject to the open records law, but this provision of the law doesn't really have anything to do with the public notice provisions in s. 19.84.

SB 276 is based on a draft from the 2007 session and the drafting instructions for that bill stated that you wanted the minutes of any meeting (other than closed-session minutes) to be posted on the political subdivision's website, in addition to creating posting requirements for the items required under the public notice requirements of s. 19.84.

If you want to limit the scope of the bill to an Internet posting requirement for the public notice requirements, you would need an amendment to delete par. (b) in created s. 66.0145 (2). Please let me know how you'd like to proceed.

Marc

Marc E. Shovers

Managing Attorney
Legislative Reference Bureau
Phone: (608-266-0129)
E-Mail: marc.shovers@legis.wisconsin.gov

From: Buhrandt, Jeff
Sent: Wednesday, February 03, 2010 11:35 AM
To: Shovers, Marc
Cc: McWilliams, Emily
Subject: SB 276 - Web site posting of agendas

Marc-

We've had a couple of questions arise on this legislation, particularly about whether or not this expands the amount of information required by open meetings laws. It's always been our intention that this bill would not expand the list of what type of information is required to be posted but rather only expand or change the posting requirements. Is there any way we could change the language to make that more clear? For instance, in the analysis you mention that this bill requires that "minutes of the meeting that relate to business conducted during an open session of that meeting" be posted. Are those minutes currently included in posting requirements? We really want to make it clear that only documents that are currently required to be posted publicly would also be required to be posted on a website.

Any help you can give us in clarifying that would be very helpful. Please reply to all so that Emily of Rep. Roys office can be kept up to date as well.

Thanks-

Jeff

Jeff Buhrandt
Office of State Senator Pat Kreitlow
(608)266-7511



State of Wisconsin
2009 - 2010 LEGISLATURE

50277/1
LRB-234171

MES:jld:jf

Stays
RmNR

SSA
LO 2009 BILL 276
SENATE

SOON

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✓

1

AN ACT *to create* 66.0145 of the statutes; **relating to:** requiring governmental bodies of certain political subdivisions to post meeting notices ~~and minutes~~ on their Web sites. ✓

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Analysis by the Legislative Reference Bureau

Currently, under the open meetings law, with certain exceptions, meetings of state and local governmental bodies must be preceded by public notice, must be held in places that are reasonably accessible to the public, and must be open to the public at all times, although such meetings may convene in closed session for the purpose of considering certain matters specified by law.

A public notice of a meeting of a governmental body must contain the time, date, place, and subject matter of the meeting and must be given at least 24 hours before the start of the meeting, although shorter notice, but never less than two hours, may be given under limited circumstances. The notice must be given to news media that have filed a request to receive such a notice and the notice must appear in the governmental body's official newspaper or, if none exists, in a news medium likely to give notice in the area.

Under this bill, a governmental body of a city, village, town, or county (political subdivision) that has a Web site is required to post a public notice of a meeting that is subject to the open meetings law on that political subdivision's Web site and also ~~must post any minutes of the meeting that relate to business conducted during an open session of the meeting.~~ Current law defines "governmental body" to include any

substitute
amendment

INS ANL ✓

BILL

agency, board, commission, committee, council, or department of a political subdivision.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 SECTION 1. 66.0145^X of the statutes is created to read:

2 **66.0145 Posting of public meeting notice, minutes.** (1) In this section:

3 (a) "Political subdivision" means a city, village, town, or county.

4 (b) "Public notice" means a public notice, as that term is used in s. 19.84, that
5 sets forth the time, date, place, and subject matter of a meeting of a governmental
6 body of the political subdivision.

7 (2) If a political subdivision has a Web site, it shall post on its Web site ^{all of}
8 ~~the following~~ ^{the following}

9 ^{No} (a) ^X The public notice for every meeting of a governmental body of the political
10 subdivision, consistent with the notice requirements in s. 19.84 (3).[✓]

11 (b) As soon as possible after the conclusion of the meeting for which the public
12 notice was posted, the minutes that relate to that meeting, but only to the extent that
13 ~~the minutes reflect any business conducted during the open session of the meeting~~

14 **SECTION 2. Initial applicability.**

15 (1) This act first applies to a meeting that is held on the day after the date on
16 which this subsection takes effect.

17 (END)



**SENATE AMENDMENT 1,
TO 2009 SENATE BILL 276**

September 3, 2009 - Offered by Senator KREITLOW.

At the locations indicated, amend the bill as follows:

1. Page 2, line 13: after that line insert:

“(3) With regard to a town, if the public notice requirements in s. 19.84 (3) may be met by posting the notice in at least 3 public places, the town may comply with such a posting requirement by posting the public notice in 2 places, one of which shall be the town hall, if the town also posts the public notice on its Web site.”.

(END)


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2-13

**2009-2010 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRBs0277/?ins

.....

INS ANL

 The substitute amendment[✓] also allows a town that could otherwise comply with current law notice requirements by posting the notice in at least three[✓] places to meet the requirements by posting at the town hall and one[✓] other public place if the notice is also posted on the town's Web site[✓].

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